

Serial No.: 10/028,372

REMARKS

Claims 10 and 11 are cancelled without prejudice to presentation in a divisional application.

Reconsideration of the rejection of claims 1 and 3-9 is respectfully requested in view of the amendments above wherein claim 1 has been amended to recite the relationship between the index plate and the spring plate and "control handle" in claim 3 had been changed to "handgrip." It is believed that these claims are now in full compliance with 35 USC 112, second paragraph.

Reconsideration of the rejection of claim 1 under 35 USC 102 (b) as unpatentable over Chou et al. is respectfully requested. Claim 1 is written in means-plus-function format and must, therefore, be construed to read on the disclosed structure and equivalents. Chou et al. show a system that is completely different from that presently claimed in that it does not provide a spring plate that controls a lock pin, where the lock pin engages in an index plate. Instead, Chou merely shows engagement between teeth 23 and 13. When the force urging the teeth together is released, a spring urges the teeth apart to allow the orientation of the armrest to be adjusted. Thus, Chou does not show the recited hub means or its equivalent received in an opening and does not show a spring plate means or an index plate means, as those terms must be construed.

The indication of allowable subject matter is noted with appreciation. By the above amendment, claim 3 has been placed in independent format. Claims 3-9 should, therefore, be in allowable form.

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Accordingly, it is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned if any matter remains outstanding.

All necessary extensions of time are requested. Please charge any necessary fees and credit any excess to deposit account 50-1088.

Respectfully Submitted,
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